

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                        |   |                            |
|------------------------|---|----------------------------|
| In re Application of:  | ) |                            |
|                        | ) |                            |
| HARMON ET AL.          | ) |                            |
|                        | ) |                            |
| Serial No.: CONCURRENT | ) | Group Art Unit: CONCURRENT |
|                        | ) |                            |
| Filed: CONCURRENT      | ) | Examiner: CONCURRENT       |
|                        | ) |                            |

For: MULTIPLE CONFIGURATION ARRAY FOR A SURGICAL NAVIGATION  
SYSTEM

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application.

Copies of documents other than U.S. Patents are attached. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

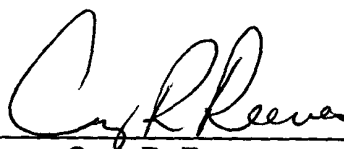
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant(s)

determine(s) that the cited document(s) do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully submitted,

Dated: 8/26/03

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|---|--|--|--|----------------------------------|-----------------|
| Substitute for FORM PTO-1449                                    |  | Attorney Docket Number<br>0103-0040 (ZM0574) |  | Custom r No.<br>34086            |                 |
| INFORMATION DISCLOSURE CITATION<br>IN AN APPLICATION            |  | Applicant<br>Harmon et al.                   |  | Application Number<br>Concurrent |                 |
| (Use several sheets if necessary)<br>Sheet <u>1</u> of <u>2</u> |  | Filing Date<br>Concurrent                    |  | Group Art Unit<br>Concurrent     | Examiner<br>N/A |

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL | DOCUMENT NUMBER | DATE       | NAME     | CLASS | SUBCLASS | FILING DATE IF<br>APPROPRIATE |
|---------------------|-----------------|------------|----------|-------|----------|-------------------------------|
|                     | 6,490,475       | 12/3/2002  | Seeley   | 600   | 426      | 4/28/2000                     |
|                     | 6,490,467       | 12/3/2002  | Clayton  | 702   | 152      | 6/21/2000                     |
|                     | 6,338,716       | 6/15/2002  | Hossack  | 600   | 459      | 11/24/1999                    |
|                     | 5,921,992       | 7/13/1999  | Costales | 606   | 130      | 4/11/1997                     |
|                     | 5,834,759       | 11/10/1998 | Glossop  | 250   | 203.1    | 5/22/1997                     |
|                     |                 |            |          |       |          |                               |
|                     |                 |            |          |       |          |                               |
|                     |                 |            |          |       |          |                               |
|                     |                 |            |          |       |          |                               |

## FOREIGN PATENT DOCUMENTS

| DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION<br>(YES/NO) |
|-----------------|------|---------|-------|----------|-------------------------|
|                 |      |         |       |          |                         |
|                 |      |         |       |          |                         |
|                 |      |         |       |          |                         |
|                 |      |         |       |          |                         |
|                 |      |         |       |          |                         |
|                 |      |         |       |          |                         |

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.